

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

WAYNE A. BESTER

PLAINTIFF

v.

CAUSE NO. 1:11CV174-LG-RHW

MICHAEL J. ASTRUE,  
COMMISSIONER OF SOCIAL SECURITY

DEFENDANT

**JUDGMENT**

This matter having come on to be heard on Report and Recommendation [14] entered by United States Magistrate Judge Robert H. Walker on April 4, 2012, the Court, after a full review and consideration of the Motion, the pleadings on file and the relevant legal authority, finds that in accord with the Order entered herein,

**IT IS, THEREFORE, ORDERED AND ADJUDGED** that the Report and Recommendation [14] entered by United States Magistrate Judge Robert H. Walker is **ADOPTED** as the opinion of this Court.

**IT IS, FURTHER, ORDERED AND ADJUDGED** that the Motion to Dismiss for Lack of Jurisdiction [8] filed by the Commissioner of Social Security is **GRANTED**. This lawsuit is hereby **DISMISSED** for lack of subject matter jurisdiction.

**SO ORDERED AND ADJUDGED** this the 7<sup>th</sup> day of June, 2012.

*s/ Louis Guirola, Jr.*  
LOUIS GUIROLA, JR.  
CHIEF U.S. DISTRICT JUDGE